

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Revenue Department - Acquisition of land for providing house sites - failure in defending the case - Disciplinary action against Sri Khaja Khutubuddin, MRO (now retired) and Mohd. Yousuf, former MRO (now retired) - Further action dropped - Orders - Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No. 215.

Dated:16.02.2010

Read the following:-

1. From CCLA Lr.Ref.No.VSI(4)/2124/99, dt.5.11.2005.
2. Reptn. of AP Revenue Services Association, dt.11.3.2008.
3. Govt.Memo.No.54622/Vig.II(2)/2005-3, dt.8.4.2008.
4. From Dist.Collector, M'nagar Lr.No.A4/4262/2000, dt.26.1.2010.

O R D E R:-

In the reference 1st read above, the Chief Commissioner of Land Administration, Hyderabad has stated that the District Collector, Mahabubnagar has reported that in Sy.Nos.423/1, 424, 883 and 884/AA an extent of Acs. 17.25 cents situated within the limits of Gopalpet (V) and (M) have been acquired for the purpose of providing house sites to SCs/STs/BCs, the LAO fixed the market value of the lands under acquisition at Rs.4,000/- per acre for Sy.No.423/1, 424 and Rs.4500/- per acre for Sy.Nos.883 and 884/AA. Not satisfied with the land compensation, the awardees filed application before the Sub-Court, Nagarkurnool and the cases were numbered as OP Nos.51/93, 52/93, 58/93 and 59/93. Further, he has reported that the concerned MROs/LAOs have failed to contest the case properly by producing the documentary evidence before the trial court in the interest of the Government. The Sub-Court, Nagarkurnool in its order dt.6.11.1996 in OP Nos.52/93 and batch enhanced the market value of the lands under acquisition at Rs.4000/- and Rs.4500/- per acre to Rs.15/- per sq.yard in addition to the other statutory benefits under LA Act. Further, the concerned MROs/LAOs have failed to file appeal against the orders of lower court and after lengthy correspondence finally an appeal was filed with a delay of 436 days along with condonation petition, the Hon'ble High Court has dismissed the appeal as time barred. Further, as the claimants filed contempt petitions, Government have deposited an amount of Rs.27/- lakhs in the court towards decretal charges of land compensation. The following MROs were alleged to be responsible for the above said lapses:

1. Sri Khaja Khutbuddin, retired on 31.11.2002.
2. Sri Khaja Moinuddin, retired on 1997.
1. Sri Md.Yousuf, retired on 31.3.2003.
2. Sri Md. Yousufuddin, retired on 31.10.2003.

2. The Chief Commissioner of Land Administration, Hyderabad while furnishing the proposals has requested the Government to take necessary action accordingly.

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3. In the reference 4th cited, the District Collector, Mahabubnagar who was consulted on the representation of AP Revenue Services Association has reported that Sri Khaja Khutubuddin, MRO, Gopalpet has passed the award on 22.2.1993 and he made a reference under section 18 of the LA Act to the Sub-Judges Court, Nagarkurnool on 27.6.93 for adjudication. During his tenure, the case has not come up for hearing till his date of relief, and hence he can not be held responsible for the enhancement of compensation. During the tenure of Sri Mohd. Yousuf, MRO, the Sub-Judge, Nagarkurnool has pronounced the judgment on 6.11.96. After receipt of judgment, he addressed a letter to the Collector, Mahabubnagar seeking permission to file appeal against the order of the lower court. The Collector has accorded permission on 6.3.97 and in the meantime, he has been transferred and relieved on 5.3.97, and hence he is not responsible for the lapses.

4. Government, after careful examination of the entire matter, keeping in view the report of the District Collector, Mahabubnagar and APRP Rules, 1980, have decided to drop further action against (i) Sri Khaja Khutubuddin, former MRO (now retired) and (ii) Sri Mohd.Yousuf, former MRO (now reted). Accordingly, Government hereby drop further action against (i) Sri Khaja Khutubuddin, former MRO (now retired), (ii) Sri Mohd.Yousuf, former MRO (now reted).

5. The Chief Commissioner of Land Administration, Hyderabad, is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.
The District Collector, Mahabubnagar.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER